

OCT - 6 2016

AO 91 (Rev. 08/09) Criminal Complaint

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America
 v.
 Daniel Ramirez -Tobias
 YOB: 1990 Citizenship: US

Case No. M-16-1851-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 6, 2016 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2252A(a)(2)(A)	Receipt of Child Pornography

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.


 Complainant's signature

Christopher Villarreal, U.S., HSI Special Agent
 Printed name and title

Sworn to before me and signed in my presence.

Date: 10/6/20163:36 pm


 Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Peter Judge Ormsby
 Printed name and title

Attachment "A"

On August 1, 2016, Department of Homeland Security Investigations (HSI) began an internet investigation to identify person(s) using peer-to-peer (P2P) software on the internet to traffic child pornography. HSI identified a computer, located at IP address (internet protocol) 70.125.204.12 as offering to participate in the distribution of movies with titles that were suggestive of child pornography. One particular movie was viewed and determined to meet the federal definition of child pornography.

Further investigation performed into IP address 70.125.204.12 revealed that it was being utilized from a residence located in McAllen, Texas and that the subscriber was an individual by the name of Rene Ramirez. On October 6, 2016, HSI special agents executed a federal search warrant on said residence.

During the execution of the warrant, SAs encountered Daniel Marvin Ramirez Tobias (hereinafter referred to as RAMIREZ).

While searching the residence, a desktop computer was located in RAMIREZ' bedroom. RAMIREZ' claimed ownership of the desktop and stated that he utilizes the computer to access the internet via a password protected internet connection.

A preliminary on-site forensic computer examination of the desktop computer found in RAMIREZ' bedroom revealed video files depicting known child pornography.

SAs advised RAMIREZ of his Miranda Rights, in the English Language, on an Immigration and Customs Enforcement (ICE) Statement of Rights Document. RAMIREZ signed the document, affirming verbally and in writing that he understood his rights and wished to continue the interview.

During a recorded post-Miranda interview, RAMIREZ stated he purposely search for, received and viewed child pornography using internet-based Peer-to-Peer (P2P) file sharing networks. RAMIREZ admitted to downloading approximately 100 video files containing child pornography. RAMIREZ stated that he knew child pornography was illegal to possess. RAMIREZ stated that after viewing the files of child pornography, he would delete the files from his computer to avoid being in trouble.